

110TH CONGRESS
1ST SESSION

H. R. 2964

To amend the Lacey Act Amendments of 1981 to treat nonhuman primates as prohibited wildlife species under that Act, to make corrections in the provisions relating to captive wildlife offenses under that Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 10, 2007

Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. KIRK, Mr. GEORGE MILLER of California, Mr. GRIJALVA, Ms. SCHAKOWSKY, and Mr. BOSWELL) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Lacey Act Amendments of 1981 to treat nonhuman primates as prohibited wildlife species under that Act, to make corrections in the provisions relating to captive wildlife offenses under that Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Captive Primate Safety
5 Act”.

1 **SEC. 2. ADDITION OF NONHUMAN PRIMATES TO DEFINI-**
 2 **TION OF PROHIBITED WILDLIFE SPECIES.**

3 Section 2(g) of the Lacey Act Amendments of 1981
 4 (16 U.S.C. 3371(g)) is amended by inserting before the
 5 period at the end “or any non-human primate”.

6 **SEC. 3. CAPTIVE WILDLIFE AMENDMENTS.**

7 (a) PROHIBITED ACTS.— Section 3 of the Lacey Act
 8 Amendments of 1981 (16 U.S.C. 3372) is amended—

9 (1) in subsection (a)—

10 (A) in paragraph (2)—

11 (i) in subparagraph (A), by inserting
 12 “or” after the semicolon;

13 (ii) in subparagraph (B), by striking
 14 “; or” and inserting a semicolon; and

15 (iii) by striking subparagraph (C);
 16 and

17 (B) in paragraph (4), by inserting “or sub-
 18 section (e)” before the period; and

19 (2) in subsection (e)—

20 (A) by redesignating paragraphs (2), (3),
 21 (4), and (5) as paragraphs (3), (4), (5), and (6)
 22 respectively;

23 (B) by striking “(e)” and all that follows
 24 through “Subsection (a)(2)(C)” in paragraph
 25 (1) and inserting the following:

26 “(e) CAPTIVE WILDLIFE OFFENSE.—

1 “(1) IN GENERAL.—It is unlawful for any per-
2 son to import, export, transport, sell, receive, ac-
3 quire, or purchase in interstate or foreign commerce
4 any live animal of any prohibited wildlife species.

5 “(2) NONAPPLICABILITY.—This subsection”;

6 (C) in paragraph (2) (as redesignated by
7 subparagraph (A))—

8 (i) by striking “a” before “prohibited”
9 and inserting “any”;

10 (ii) by striking “(3)” and inserting
11 “(4)”;

12 (iii) by striking “(2)” and inserting
13 “(3)”;

14 (D) in paragraph (3) (as redesignated by
15 subparagraph (A))—

16 (i) in subparagraph (C)—

17 (I) in clauses (ii) and (iii), by
18 striking “animals listed in section
19 2(g)” each place it appears and in-
20 serting “prohibited wildlife species”;
21 and

22 (II) in clause (iv), by striking
23 “animals” and inserting “prohibited
24 wildlife species”; and

1 (ii) in subparagraph (D), by striking
2 “animal” each place it appears and insert-
3 ing “prohibited wildlife species”;

4 (E) in paragraph (4) (as redesignated by
5 subparagraph (A)), by striking “(2)” and in-
6 serting “(3)”;

7 (F) in paragraph (6) (as redesignated by
8 subparagraph (A)), by striking “subsection
9 (a)(2)(C)” and inserting “this subsection”; and

10 (G) by inserting after paragraph (6) (as
11 redesignated by subparagraph (A)) the fol-
12 lowing:

13 “(7) APPLICATION.—This subsection shall
14 apply beginning on the effective date of regulations
15 promulgated under this subsection.”.

16 (b) CIVIL PENALTIES.—Section 4(a) of the Lacey
17 Act Amendments of 1981 (16 U.S.C. 3373(a)) is amend-
18 ed—

19 (1) in paragraph (1), by striking “subsections
20 (b) and (d)” and inserting “subsections (b), (d), and
21 (e)”;

22 (2) in paragraph (1), by striking “section 3(d)”
23 and inserting “subsection (d) or (e) of section 3”.

1 (c) CRIMINAL PENALTIES.—Section 4(d) of the
2 Lacey Act Amendments of 1981 (16 U.S.C. 3373(d)) is
3 amended—

4 (1) in paragraphs (1)(A) and (1)(B) and in the
5 first sentence of paragraph (2), by striking “sub-
6 sections (b) and (d)” each place it appears and in-
7 serting “subsections (b), (d), and (e)”; and

8 (2) in paragraph (3), by striking “section 3(d)”
9 and inserting “subsection (d) or (e) of section 3”.

10 **SEC. 4. APPLICABILITY PROVISION AMENDMENT.**

11 Section 3 of the Captive Wildlife Safety Act (117
12 Stat. 2871; Public Law 108–191) is amended—

13 (1) in subsection (a), by striking “(a) IN GEN-
14 ERAL.—Section 3” and inserting “Section 3”; and

15 (2) by striking subsection (b).

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